

Welcome to

Ask DDS Day 2018



GEORGIA DEPARTMENT OF DRIVER SERVICES

May 2, 2018



Keep on Trucking...Legally!

Presented by Kyle Cain & Clay Greene

Leadership changes in Regulatory Compliance



- ▶ New Director of Regulatory Compliance (Mike Mitchell)
- ▶ New Deputy Director of Regulatory Compliance (Kyle Cain)
- ▶ New CDL Unit Manager (Brian Cox)

GA DDS CDL STATISTICS

- ▶ As of April 1st, 2018, there were 344,618 (85.3%) valid CDL drivers of the total 403,939 Georgia licensed CDL holders on file
- ▶ GA licensed CDL holders' current statistics at the end of March 2018:
 - Valid Drivers = 343,618 Expired Drivers = 46,821
 - Valid/Suspended Drivers = 3,871 Expired/Suspended Drivers = 8,629
- ▶ 47 State CDL examiners were monitored during the 3rd quarter (the unit goal was 35); 13 were by grant-funded analysts
- ▶ 81 Third-party examiners were monitored during the 3rd quarter (the unit goal was 77); 35 by grant-funded analysts

During January – March 2018, the CDL Examiner Monitoring Unit compiled the following information on examiners and testers in the State of Georgia:

- ▶ Current Third Party Testers in Georgia 84
- ▶ Current Third Party Examiners in Georgia 175
- ▶ Current State Examiners in Georgia 106
- ▶ Total Skills Tests administered by Third Party Examiners in Q3 2,507
- ▶ Total Skills Tests administered by State Examiners in Q3 2,978



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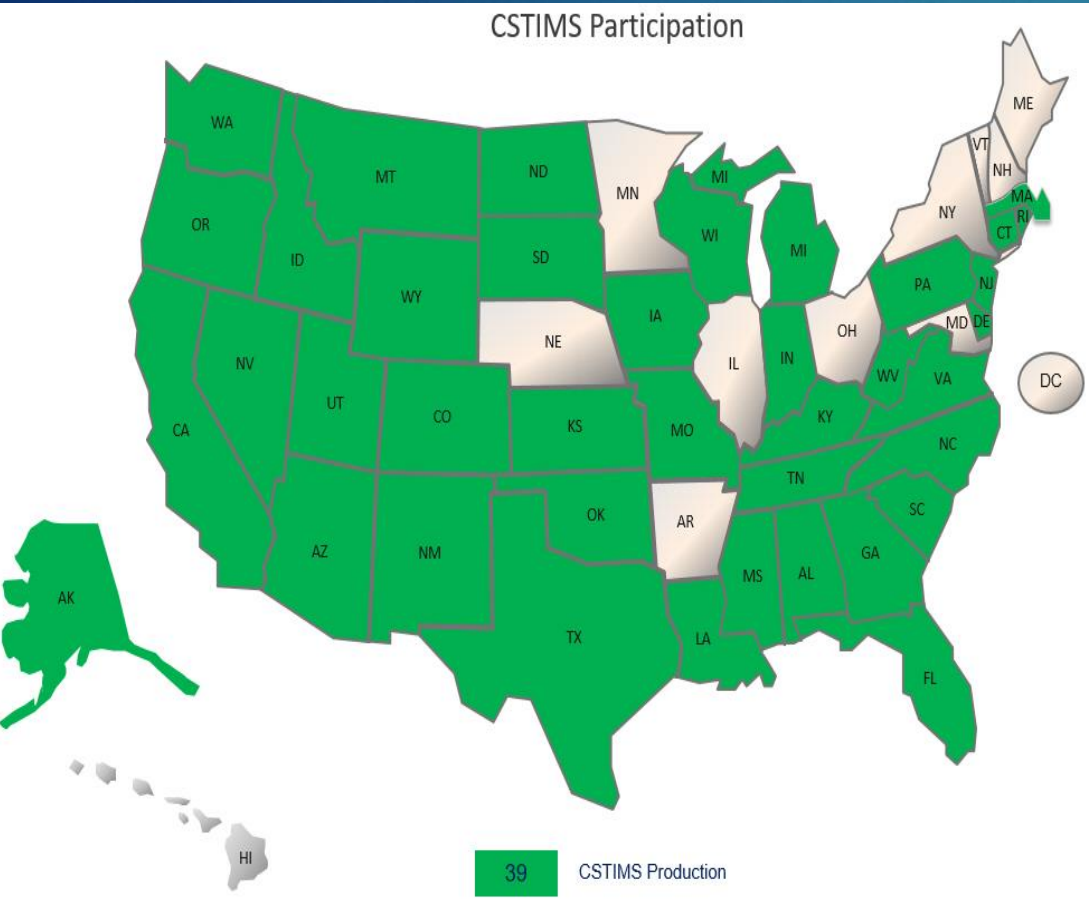
DDS Updates 2018 & Beyond

- ▶ Commercial Skills Test Management Information System
- ▶ New Lifetime CDL Disqualification for Human Trafficking
- ▶ Updated area map for CDL Analysts
- ▶ Third Party Examiner recertification information



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- CSTIMS is an internet-based tool that provides a consistent way to track the scheduling and entry of test results for commercial skills tests by jurisdiction and third-party examiners
- CSTIMS enforces jurisdiction-defined rules to manage CDL skills testing and alerts various parties when circumstances are encountered that may require investigation to determine if fraud has occurred. Additionally, CSTIMS produces reports that can be reviewed for patterns of potential fraud
- Upon full implementation of CSTIMS, there will be no need for weekly schedules to be emailed, you will log onto the site and enter the schedule in the system yourself. The system will work much like the current scheduling model of 14 days for the first-time testing and 2 days for retesting
- Currently 39 states use CSTIMS

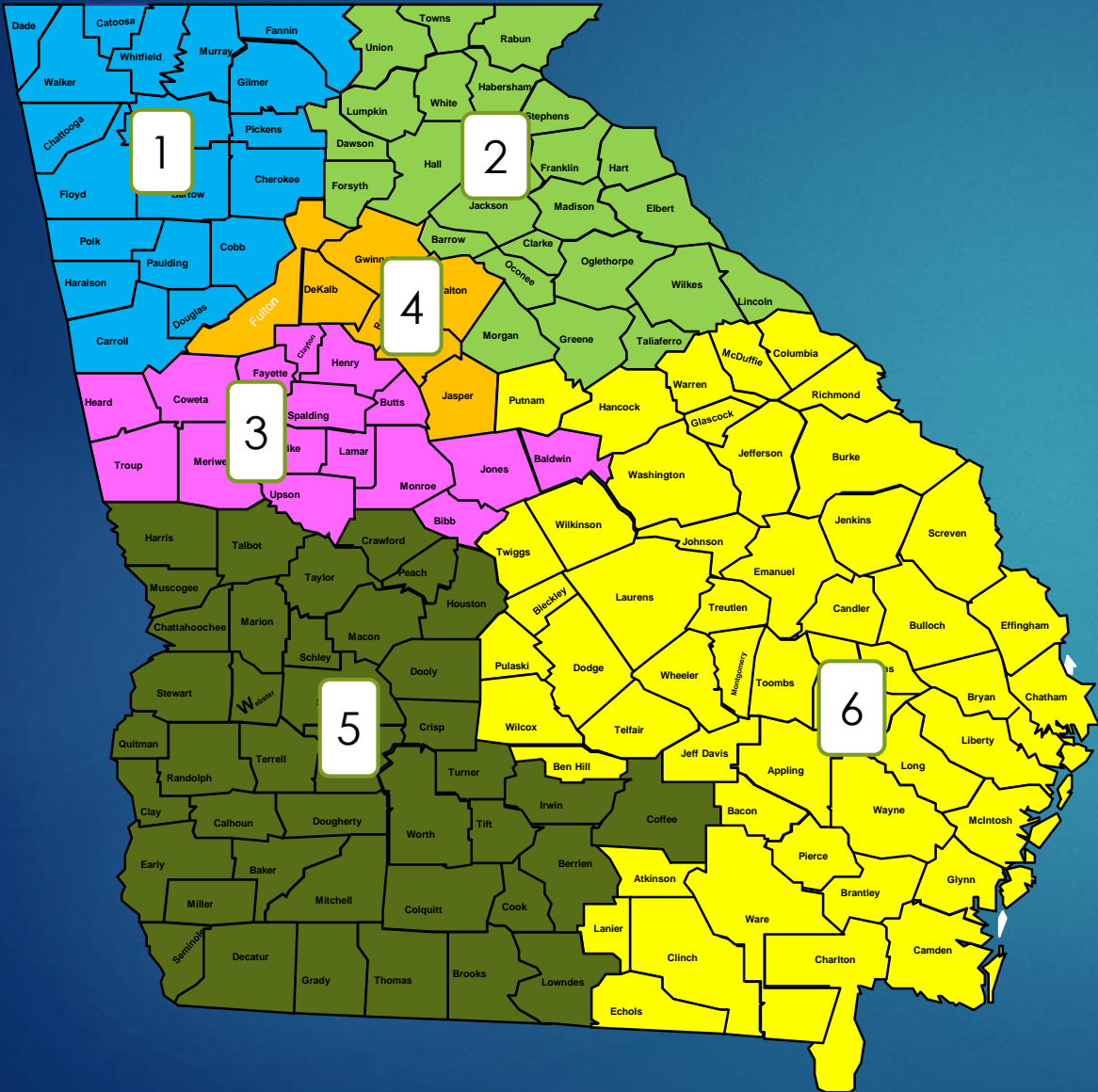
New Lifetime CDL Disqualification for Human Trafficking

- ▶ No Human Trafficking on Our Roads Act: signed 01/08/2018
 - The bill directs the DOT to disqualify CDL Drivers from operating a CMV for life when such a vehicle is committing a felony involving a severe form of human trafficking
 - Under U.S. federal law, severe forms of trafficking in persons includes both sex trafficking and labor trafficking
 - O.C.G.A. § 16-5-46 (Trafficking of persons for labor or sexual servitude)
 - GA Law and Federal Law and Definitions are very closely aligned
 - Trafficking is a Felony in GA punishable by imprisonment for not less than ten nor more than 20 years
 - Conviction could also include a fine not to exceed \$100,000.00.
 - In GA the Penalty for Minors is more severe

The Table below (Table 1 to §383.51) contains a list of the offenses and periods for which a person who is required to have a CLP or CDL is disqualified, depending upon the type of vehicle the driver is operating at the time of the violation:

If a driver operates a motor vehicle and is convicted of:	For a first conviction or refusal to be tested while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a first conviction or refusal to be tested while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a first conviction or refusal to be tested while operating a CMV transporting hazardous materials as defined in §383.5, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a CMV, a person required to have a CLP or CDL and a CLP or CDL holder must be disqualified from operating a CMV for * * *	For a second conviction or refusal to be tested in a separate incident of any combination of offenses in this Table while operating a non-CMV, a CLP or CDL holder must be disqualified from operating a CMV for * * *
(6) Using the vehicle to commit a felony, other than a felony described in paragraph (b)(9) of this table * * *	1 year	1 year	3 years	Life	Life.
(9) Using the vehicle in the commission of a felony involving manufacturing, distributing, or dispensing a controlled substance or Human Trafficking * * *	Life-not eligible for 10-year reinstatement	Life-not eligible for 10-year reinstatement	Life-not eligible for 10-year reinstatement	Life-not eligible for 10-year reinstatement	Life-not eligible for 10-year reinstatement

Areas of Assignment CDL Regulatory Compliance



Area		
1	Shane	Hovatter
2	Josh	Brader
3	Misty	Lamb
4	Adam	Oglesbee
5	Brad	Rutherford
6	Vivian	Groover

Third Party Training and Recertification's

- 2019 106 Due for recertification
- 2020 38 Due for recertification
- 2021 24 Due for recertification
- Training and review of the “2017 AAMVA Skills Test” will be planned for 3 different areas – North, Middle, and South Georgia

Will work with Third Party Testers to secure suitable locations to conduct the recertification and training in these areas



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Upcoming Federal Projects/Mandates



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- ▶ National Registry II
- ▶ Employer Notification System (ENS)
- ▶ Commercial Driver's License Drug & Alcohol Clearing House
- ▶ Entry Level Driver Training

National Registry II

- ▶ The mandate allows state and federal enforcement officials to easily share and view the most current and accurate information about a commercial motor vehicle driver's medical certification status
 - The mandate would require certified medical examiners performing physical examinations on drivers of commercial motor vehicles to use a newly developed medical examination report form, and to use a new form for the medical examiner's certificate (MEC)
 - In addition, certified medical examiners would be required to electronically report to FMCSA the results of all completed commercial drivers' physical examinations, including the results of any examination where the driver was found not to be qualified, by close of business on the day of the examination using the new form
 - FMCSA would make the MEC information available to the SDLA's only as part of the integration of the medical certification and the CDL issuance and renewal process
 - FMCSA's mandatory compliance date: June 22, 2018, but will probably be extended

Employer Notification System (ENS)

- ▶ FMCSA guidance concerning the use of State-operated employer notification systems (ENS) for the annual inquiry and review of driving records required by § 49 CFR 391.25
 - The guidance explains the use of State-operated ENS that provide motor carriers with a report for every State in which the driver held either an operator's license, a commercial driver's license (CDL), or permit when a driver is enrolled in the system
 - Many (SDLAs) provide ENS that either automatically update requestors on license status, or crashes and convictions and allow the requestor to regularly query the record for this information
 - Using the system to check the driving record, at least annually, satisfies the requirement for an annual review of each driver's record
 - Initiative implementation date: Yet to be determined by FMCSA

Commercial Driver's License Drug & Alcohol Clearing House

- ▶ FMCSA is establishing the Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse
 - This new database will contain information pertaining to violations of the U.S. Department of Transportation (DOT) controlled substances (drug) and alcohol testing program for holders of CDLs
 - The Clearinghouse rule requires FMCSA-regulated employers, Medical Review Officers (MROs), Substance Abuse Professionals (SAPs), consortia/third party administrators (C/TPAs), and other service agents to report to the Clearinghouse information related to violations of the drug and alcohol regulations in § 49 Code of Federal Regulations, parts 40 and 382 by current and prospective employees
 - The Clearinghouse will provide FMCSA and employers the necessary tools to identify drivers who are prohibited from operating a CMV based on DOT drug and alcohol program violations and ensure that such drivers receive the required evaluation and treatment before operating a CMV on public roads
 - DDS will be required to query the clearinghouse when a CDL is issued, renewed, upgraded, or transferred
 - Anticipated implementation date: between September of 2019 and March of 2020

Entry Level Driver Training

- ▶ FMCSA is establishing comprehensive national minimum training standards for entry-level commercial truck and bus operators seeking to obtain a CDL or certain endorsements
 - The standards address the knowledge and skills necessary for the safe operation of commercial motor vehicles and also establish minimum qualifications for entities and individuals who provide entry-level driver training
 - The Rule would also require CDL Schools to electronically transmit Applicants seeking a CDL would be required to demonstrate proficiency in knowledge training and behind-the-wheel training on a driving range and on a public road, with training obtained from an instructional program that meets FMCSA standards
 - Certificates of completion to DDS to be added to the Driver's Record
 - DDS anticipated completion date: early 2020

Questions



Thank You!

